

AN ACT

ENTITLED, An Act to require parolees released under the supervision of the Department of Corrections and the Board of Pardons and Paroles to pay supervision fees, to provide for the establishment of supervision fees, and to provide for the deposition of the fees.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 24-15-11 be amended to read as follows:

24-15-11. The board may place reasonable restrictions upon a parolee which are designed to continue the parolee's rehabilitation. The board, upon granting parole, shall require the implementation of a restitution plan and payment of supervision fees, if reasonably possible. The prior obligations of child support and restitution payments take precedence over collection of supervision fees. All restrictions shall be in writing and the agreement shall be signed by the parolee.

Section 2. That § 24-15A-24 be amended to read as follows:

24-15A-24. The board and the department may place reasonable restrictions upon a parolee which are designed to continue the parolee's rehabilitation. The board and the department shall require the implementation of a restitution plan and payment of supervision fees, if reasonably possible. The prior obligations of child support and restitution payments take precedence over collection of supervision fees. All restrictions shall be in writing and shall be agreed to and signed by the parolee.

Section 3. That chapter 24-15 be amended by adding thereto a NEW SECTION to read as follows:

The Board of Pardons and Paroles and the Department of Corrections may allow inmates required to pay supervision fees pursuant to § 24-15-11 or 24-15A-24 to substitute community service work hours for supervision fees.

Section 4. That chapter 24-15 be amended by adding thereto a NEW SECTION to read as

follows:

Any revenue collected pursuant to this Act shall be deposited in the state general fund.

Section 5. That § 24-2-29 be amended to read as follows:

24-2-29. An inmate is liable for court ordered fines and restitution and any obligation incurred while under the jurisdiction of the Department of Corrections including those provided for in §§ 24-2-28, 24-7-3, 24-8-9, 24-11A-19, 24-15-11, and 24-15A-24, and any other charge owed to the state. Disbursement shall be made from an inmate's institutional account to defray the inmate's obligation, regardless of the source of the inmate's funds, including moneys in the inmate's institutional account pursuant to § 24-2-5 and wages earned by the inmate pursuant to §§ 24-4-9, 24-7-3(3), 24-7-6, 24-8-8, and 24-11A-20.

Section 6. That chapter 24-15 be amended by adding thereto a NEW SECTION to read as follows:

The Department of Corrections may promulgate rules, pursuant to chapter 1-26, to establish supervision fee rates to be imposed pursuant to §§ 24-15-11 and 24-15A-24.

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I certify that the attached Act
originated in the
HOUSE as Bill No. 1042

Chief Clerk

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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1042
File No. _____
Chapter No. _____

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Received at this Executive Office
this ____ day of _____ ,
19__ at ____ M.

By _____
for the Governor

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The attached Act is hereby
approved this _____ day of
_____, A.D., 19__

Governor

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STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 19__
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State